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November 16, 2021

VIA ECF

Honorable Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl St.
New York, New York 10007

Re: *GateGuard, Inc. v. Goldmont Realty Corp., et al.*
Case No.: 1:20-cv-01609-AJN- GWG

Dear Judge Gorenstein:

I represent Plaintiff GateGuard, Inc. (“Plaintiff”) and write to ask the Court to direct Defendants to respond to Plaintiff’s requests to confer regarding various discovery disputes.

Defendants know the parties must confer before Plaintiff can seek discovery-related relief from this Court. They also know that Section 2.A. of this Court’s Individual Practices requires them to respond Plaintiff’s requests to confer within one business day. Nevertheless, Defendants frequently ignore Plaintiff’s repeated requests to confer, often for weeks on end.

Attached are two recent email threads concerning discovery deficiencies (Exhibits A, B). In both cases, Defendants ignored multiple requests to confer. Last week, Plaintiff advised Defendants it would be forced to involve the Court if Defendants continued to ignore Plaintiff’s requests to confer.¹ Defendants did not respond.

In view of the above, Plaintiff asks the Court to direct Defendants to respond to Plaintiff’s requests to confer. Plaintiff recognizes the trivial nature of this request and makes it reluctantly, being left with no other way to obtain Defendants’ cooperation.

In the alternative – and particularly in view of the considerable delays Defendants’

¹ Earlier this year Plaintiff was forced to seek similar relief because Defendants repeatedly ignored its requests to confer. *See* ECF Nos. 39 (describing Defendants’ failure to respond to Plaintiff’s requests to confer), 41 (this Court’s order directing Defendants to respond to Plaintiff and reminding them of Section 2.A. of this Court’s Individual Practices).

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conduct has caused – Plaintiff asks this Court to consider suspending application of Section 2.A. of its Individual Practices, to enable Plaintiff to seek relief from the Court on discovery issues about which Defendants refuse to confer.

Respectfully submitted,

By: /s/ Ariel Reinitz

Ariel Reinitz

cc: Counsel of Record (via ECF)